

1  
2  
3  
4

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 ANGEL ORTIZ DIAMOND II, No. C-15-3291 EMC  
9 Plaintiff,  
10 v. **ORDER TRANSFE**  
11 CITY OF LOS ANGELES, *et al.*,  
12 Defendants.

## ORDER TRANSFERRING CASE

15 Angel Ortiz Diamond II, proceeding pro se, has filed suit against multiple defendants,  
16 including the City of Los Angeles, the County of Los Angeles, MacDonald Corp., and a MacDonald  
17 franchise located in Los Angeles. Mr. Diamond has asked for leave to proceed *in forma pauperis*  
18 (“IFP”). After reviewing the financial affidavit and the complaint, the Court ordered Mr. Diamond  
19 to file a complete IFP application and to show cause as to why his case should not be transferred to  
20 the Central District of California, where Los Angeles is located.

21 The Court is now in receipt of Mr. Diamond's response to the order to show cause. Having  
22 reviewed that response, the Court concludes that there is no basis to maintain the action in this  
23 District. As the Court noted in its prior order, Mr. Diamond appears to reside in Los Angeles, the  
24 events described in his complaint all appear to have taken place in Los Angeles, and none of the  
25 defendants are alleged to reside in this District. *See generally* 28 U.S.C. § 1331(b) (providing that  
26 venue is proper in "(1) a judicial district in which any defendant resides, if all defendants are  
27 residents of the State in which the district is located; (2) a judicial district in which a substantial part  
28 of the events or omissions giving rise to the claim occurred, or a substantial part of property that is

1 the subject of the action is situated; or (3) if there is no district in which an action may otherwise be  
2 brought as provided in this section, any judicial district in which any defendant is subject to the  
3 court's personal jurisdiction with respect to such action"). That Mr. Diamond may not have had  
4 positive experiences with the courts in Los Angeles in the past is not a justification to keep the  
5 action in this venue.

6 Accordingly, the Court hereby transfers the instant action to the Central District of  
7 California. The transferee court shall decide the merits of Mr. Diamond's IFP application, as well as  
8 the motion for preliminary injunction that he filed on July 20, 2015.

9 **The Clerk of the Court is ordered to transfer this case in accordance with this opinion**  
10 **and administratively close the file.**

11  
12 IT IS SO ORDERED.

13  
14 Dated: August 18, 2015

15  
16   
17 EDWARD M. CHEN  
18 United States District Judge  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28